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BY ECF

Honorable Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

January 26, 2024

Re: Case 1:23-cv-09259-AS Tarr v. Caroline Constan, LLC
Request for Adjournment of Conference and Extension of Time to Serve

To the Honorable Judge Subramanian:

Plaintiff respectfully submits this letter-motion to seek an adjournment of the initial conference, currently scheduled for January 30, 2024. The Parties are not in communication as of the date of this letter. Further, in spite of Plaintiff's several attempts to serve the Defendant, service has not yet been effectuated. It seems as though the Defendant is evading service, and substitute service upon the Secretary of State will be required.

As such, Plaintiff requests an adjournment of the initial conference, to March 4, 2024, or a date more convenient to the Court. Plaintiff also requests an extension of time to serve the Defendant, pursuant to Rule 4m. Plaintiff has attempted service upon the Defendant six times thus far, and Plaintiff maintains that the delay is not due to the fault of Plaintiff.

This is the first time this relief is being requested. We thank Your Honor for the attention and consideration herein.

Respectfully submitted,

The January 30 conference is CANCELED.
Plaintiff shall serve Defendant, whether through the Secretary of State or otherwise, by January 30, 2024. If Defendant misses the answer deadline, Plaintiff shall promptly move for default judgment or voluntarily dismiss its claims.

/s/ Mars Khaimov
Mars Khaimov, Esq.
Attorney for Plaintiff

SO ORDERED.

Arun Subramanian, U.S.D.J.
Date: January 29, 2024

